

REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed January 10, 2006. Claims 2, 5, 6, 8, 13, 16-18, 26, 29, 31 and 32 are withdrawn. Claims 1, 3, 4, 7, 9-12, 14, 15, 19-25, 27-28 and 30 are rejected. In this Amendment no claims have been amended.

Rejections under 35 U.S.C. § 102(a)

The Examiner has rejected claims 1, 3, 7, 9-12, 14, 19-25, 27 and 30 under 35 U.S.C. §102(b) as being anticipated by Reisman, (U.S. Patent No. 4,891,329, hereinafter "Lei"). Applicants respectfully disagree for the reasons discussed below.

Reisman did not teach bonding of a first dielectric or a first insulator to a second substrate to form the bonded wafer pair. Reisman required that the bonding be done by bonding an insulator to an insulator which is fundamentally different from bonding an insulator to a substrate. No where in Reisman was there a teaching or even suggestion of forming an insulator on top of an epitaxial germanium layer and then bonding the insulator to a substrate. Reisman only taught that the second substrate has an insulator layer. Reisman taught the use of thermal bonding to bond an insulator to an insulator.

Further, Reisman further taught a heteroepitaxial layer formed on substrate that has a lattice structure that matches the heteroepitaxial layer. Such limitation is not required of the pending claims.

Thus, Applicants respectfully submit that Reisman does not anticipate claims 1, 3, 7, 9-12, 14, 19-25, 27 and 30.

Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 4, 15 and 28 under 35 U.S.C. §103(a) as being unpatentable over Reisman in view of admitted prior art.

As previously mentioned, Reisman did not teach bonding of a first dielectric or a first insulator to a second substrate to form the bonded wafer pair. Reisman required that the bonding be done by bonding an insulator to an insulator which is fundamentally different from bonding an insulator to a substrate. No where in Reisman was there a teaching or even suggestion of forming an insulator on top of an epitaxial germanium layer and then bonding the insulator to a substrate. Reisman only taught that the second substrate has an insulator layer. Reisman taught the use of thermal bonding to bond an insulator to an insulator.

Therefore, even if it would have been obvious to use polishing to thin the first dielectric film prior to bonding, Reisman could have not made obvious claims 4, 15, and 28 for the same reasons above.

Applicants respectfully submit that in view of the reasons stated above, the pending claims are distinguishable over and not obvious in view of Reisman. If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Mimi Dao at (408) 720-8300.

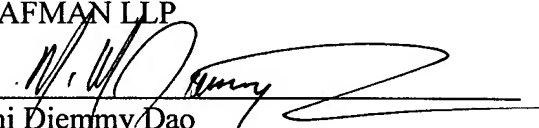
Deposit Account Authorization

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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